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| 10/557,197 | 11/17/2005 | Masato Yamamichi | 2005_1754A | 5550 |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| | 10/557,197 | YAMAMICHI ET AL. |
| **Office Action Summary** | Examiner | Art Unit | |
| | SON T. HOANG | 2165 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on <u>14 February 2008</u>.

2a)☒ This action is **FINAL**.       2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) <u>66-85</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>66-85</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>17 November 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)               **Office Action Summary**               Part of Paper No./Mail Date 10557197-A

## DETAILED ACTION

### *Response to Amendment*

1.      This instant Office action is in response to the amendment filed on

February 14, 2008.

**Claims 32-65** have been canceled.

**Claims 66-85** have been added.

### *Response to Arguments*

2.      Applicant's arguments with respect to the claims have been considered

but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

3.      The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.      **Claims 66-69, 72-74, 76-77, 79-80**, and **83-85**, are rejected under 35

U.S.C. 102(e) as being anticipated by Arisaka et al. (*Pub. No. US 2002/0165987,*

*filed on April 9, 2002; hereinafter Arisaka*).

Regarding **claim 66**, Arisaka clearly shows and discloses an

information presentation system (*Figure 2*) comprising:

a playback device (*playback terminal 1 in Figure 1*);

a management device (*playback data management device 210*); and

a terminal device (*playback terminal n of Figure 1*), wherein said terminal device is a different entity from said playback device (*Figure 2 shows that each playback terminal is corresponding to a different location, hence each of the terminal player is a different entity from another*, [Abstract]),

said playback device plays back a content, obtains a content identifier that identifies the content having been played back by said playback device, and transmits the content identifier to said management device (*The playback data management device 210 receives content identifiers, playback continuation information, and terminal types (terminals are set up with information indicating content types that can be displayed by the terminals or content types that users would like to play back) from the playback terminal device 220 via the communication line 240*, [0030]),

said management device receives and stores the content identifier therein, generates presentation information using the content identifier stored therein in response to a request from said terminal device, and outputs the presentation information (*Using the content identifier received from the playback terminal device*

*220 via the communication line 240, the playback data*

*management device 210 prepares the content associated with the*

*content identifier.. Various types of preparation methods can be*

*used, e.g., retrieving data recorded in the playback data*

*management device 210 or retrieving content from a remotely*

*located digital content storage server via a communication line,*

[0043]), and

said terminal device makes the request to said management

device to generate the presentation information, obtains the

presentation information from said management device, and

displays the presentation information (*The playback data*

*management device 210 uses the communication line 240 to send*

*to the playback terminal device 220 the playback start information*

*obtained at step 109 and, if the terminal type was received at step*

*104, the converted content obtained at step 108. It would also be*

*possible to send the playback terminal device 220 the content at*

*the start position indicated in the playback start information*, [0047]).

Regarding **claim 67**, Arisaka clearly shows and discloses a

management device (*playback data management device 210*) included in

an information presentation system together with a playback device

(*playback terminal 1 in Figure 1*) and a terminal device (*playback terminal*

*n of Figure 1*), the terminal device being a different entity from the

playback device (*Figure 2 shows that each playback terminal is corresponding to a different location, hence each of the terminal player is a different entity from another*, [Abstract]), and the management device comprising:

a receiving unit (*Figure 3*) operable to receive, from the playback device, a content identifier that identifies a content having been played back (*The playback data management device 210 receives content identifiers, playback continuation information, and terminal types (terminals are set up with information indicating content types that can be displayed by the terminals or content types that users would like to play back) from the playback terminal device 220 via the communication line 240*, [0030]);

a storage unit (*Figure 3*) operable to store the content identifier received by said receiving unit (*Using the content identifier received from the playback terminal device 220 via the communication line 240, the playback data management device 210 prepares the content associated with the content identifier.. Various types of preparation methods can be used, e.g., retrieving data recorded in the playback data management device 210 or retrieving content from a remotely located digital content storage server via a communication line*, [0043]);

a generation unit (*Figure 3*) operable to generate

presentation information using the content identifier stored in said

storage unit in response to a request from the terminal device

(*Using the content identifier received from the playback terminal*

*device 220 via the communication line 240, the playback data*

*management device 210 prepares the content associated with the*

*content identifier.. Various types of preparation methods can be*

*used, e.g., retrieving data recorded in the playback data*

*management device 210 or retrieving content from a remotely*

*located digital content storage server via a communication line,*

[0043]); and

an outputting unit (*Figure 3*) operable to output the

presentation information to the terminal device (*The playback data*

*management device 210 uses the communication line 240 to send*

*to the playback terminal device 220 the playback start information*

*obtained at step 109 and, if the terminal type was received at step*

*104, the converted content obtained at step 108. It would also be*

*possible to send the playback terminal device 220 the content at*

*the start position indicated in the playback start information*, [0047]).

Regarding **claim 68**, Arisaka further discloses said generation unit

includes:

an information storage unit operable to store therein a

plurality of content identifiers in association with attribute

information related to the plurality of content identifiers respectively

identifying a plurality of content and the attribute information

indicating attributes for corresponding content (*a personal playback*

*action history 510 and the content identifier are used to read up-to-*

*date information 511. At step 902, the playback start position is*

*obtained from the up-to-date playback action history information*

*511 for the content. The playback start position is a digitized code*

*sequence indicating the position information for the content. Step*

*903 determines whether playback start information is to be*

*generated for converted content. If the content is converted*

*content, the playback start position is converted using the content*

*type of the original content and the content type of the converted*

*content, step 904. For example, if and electronic book was*

*converted to audio content, a playback start position at the first*

*paragraph of the ninth page is converted to a playback start*

*position at X minutes, Y seconds*, [0059]); and

an information generating unit operable to generate the

presentation information, in response to the request from the

terminal device, using the content identifier stored in said storage

unit and attribute information among a plurality of attribute

information corresponding to the content identifier stored in said

storage unit (*At step 905, the playback start position, the content type, and the like obtained from the above step are used to generate playback start position information*, [0059]).

Regarding **claim 69**, Arisaka further discloses said information generating unit includes:

an attribute-information extraction unit operable to extract the attribute information corresponding to the content identifier stored in the storage unit from among a plurality of attribute information (*The playback action history management processing module 315 retrieves from the playback information management database the personal playback action history of the user indicated by the personal identifier and loads this information in the memory 310. Also, the playback information management database is updated with information relating the personal playback action history in memory*, [0066]);

an attribute-information write unit operable to write to said storage unit, library information in which the extracted attribute information is associated with the content identifier received by said receiving unit (*The playback continuation information conversion processing module 317 retrieves information relating to personal playback action history from the playback continuation information and loads this in memory. If the content that had been played back*

*was converted content, the history information is converted into a*

*format suited for the pre-conversion content*, [0068]); and

a presentation-information generating unit operable to

generate the presentation information using the library information

written to said storage unit (*The playback start information*

*generation processing module 316 generates playback start*

*information using the personal playback action history of the user*

*loaded from the memory 310 by the playback action history*

*management processing module 315 and the content information*

*loaded in the memory 310 by the content information management*

*processing module 312. This playback start information is loaded in*

*the memory 310*, [0067]).

Regarding **claim 72**, Arisaka further discloses:

said receiving unit further receives a user identifier

identifying a user who played back the content, together with the

reception of the content identifier (*The playback data management*

*device 210 receives the individual identifier and the content*

*identifier from the playback terminal device 220 via the*

*communication line 240. It may also receive the terminal type 421*

*from the playback terminal device 220 via the communication line*

*240*, [0041]),

the storage unit stores therein the received content identifier

in association with the received user identifier (*The playback action*

*history management processing module 315 retrieves from the*

*playback information management database the personal playback*

*action history of the user indicated by the personal identifier and*

*loads this information in the memory 310. Also, the playback*

*information management database is updated with information*

*relating the personal playback action history in memory*, [0066]),

the request from the terminal device includes a particular

user identifier (*For each user, a server manages a personal*

*playback action history, e.g., which content was played back up to*

*which point*, [Abstract]), and

said generation unit generates the presentation information

based on a content identifier stored in association with the

particular user identifier (*The playback start information generation*

*processing module 316 generates playback start information using*

*the personal playback action history of the user loaded from the*

*memory 310 by the playback action history management*

*processing module 315 and the content information loaded in the*

*memory 310 by the content information management processing*

*module 312. This playback start information is loaded in the*

*memory 310*, [0067]).

Regarding **claim 73**, Arisaka further discloses said generation unit includes:

an attribute-information acquiring unit operable to acquire, from another device, attribute information indicating attributes of a content identified by the received content identifier (*The playback action history management processing module 315 retrieves from the playback information management database the personal playback action history of the user indicated by the personal identifier and loads this information in the memory 310. Also, the playback information management database is updated with information relating the personal playback action history in memory,* [0066]);

an attribute-information write unit operable to write to said storage unit, library information in which the acquired attribute information is associated with the content identifier received by the receiving unit (*The playback continuation information conversion processing module 317 retrieves information relating to personal playback action history from the playback continuation information and loads this in memory. If the content that had been played back was converted content, the history information is converted into a format suited for the pre-conversion content,* [0068]); and

a presentation-information generating unit operable to

generate the presentation information using library information

written to said storage unit (*The playback start information*

*generation processing module 316 generates playback start*

*information using the personal playback action history of the user*

*loaded from the memory 310 by the playback action history*

*management processing module 315 and the content information*

*loaded in the memory 310 by the content information management*

*processing module 312. This playback start information is loaded in*

*the memory 310,* [0067]).

Regarding **claim 74**, Arisaka further discloses the management

device is a portable recording medium connectable to the playback device

and to the terminal device (*Figure 1*), wherein

said receiving unit receives the content identifier when the

management device is connected to the playback device (*The*

*playback data management device 210 receives the individual*

*identifier and the content identifier from the playback terminal*

*device 220 via the communication line 240. It may also receive the*

*terminal type 421 from the playback terminal device 220 via the*

*communication line 240,* [0041]), and

said outputting unit outputs the presentation information

when the management device is connected to the terminal device

(*The playback terminal device 220 uses the communication line 240 to receive from the playback data management device 210 the playback start information and, if the terminal type was sent at step 103, the converted content obtained at step 108,* [0048]. *Using the playback start information obtained at step 111 as well as the converted content if the terminal type was sent at step 103 or the content if no terminal type was sent, the playback terminal device 220 generates playback information,* [0049]).

Regarding **claim 76**, Arisaka further discloses:

the request from the terminal device includes a particular content identifier (*The playback data management device 210 receives the individual identifier, the content identifier, and the playback continuation information from the playback terminal device 220 via the communication line 240,* [0056]), and

said generation unit generates the presentation information indicating whether the particular content identifier is stored in said storage unit (*The playback data management device 210 uses the communication line 240 to send to the playback terminal device 220 the playback start information obtained at step 109 and, if the terminal type was received at step 104, the converted content obtained at step 108. It would also be possible to send the playback*

*terminal device 220 the content at the start position indicated in the*

*playback start information*, [0047]).

Regarding **claim 77**, Arisaka further discloses:

the request from the terminal device includes a plurality of

content identifiers (*The playback data management device 210*

*receives the individual identifier, the content identifier, and the*

*playback continuation information from the playback terminal*

*device 220 via the communication line 240*, [0056]), and

said generation unit generates the presentation information

indicating, for each of the content identifiers, whether the content

identifier is stored in said storage unit (*The playback data*

*management device 210 uses the communication line 240 to send*

*to the playback terminal device 220 the playback start information*

*obtained at step 109 and, if the terminal type was received at step*

*104, the converted content obtained at step 108. It would also be*

*possible to send the playback terminal device 220 the content at*

*the start position indicated in the playback start information*, [0047]).

Regarding **claim 79**, Arisaka clearly shows and discloses a

terminal device (*playback terminal 1 of Figure 2*) included in an

information presentation system together with a playback device (*playback*

*terminal n of Figure 2*) and a management device (*playback data*

*management device 210*), the terminal device being a different entity from

the playback device (*Figure 2 shows that each playback terminal is*

*corresponding to a different location, hence each of the terminal player is*

*a different entity from another,* [Abstract]),

and the terminal device comprising:

an input-receiving unit (*Figure 4*) operable to receive an

input from an external source (*The playback terminal device 220*

*uses the communication line 240 to receive from the playback data*

*management device 210 the playback start information and, if the*

*terminal type was sent at step 103, the converted content obtained*

*at step 108,* [0048]);

a presentation-information acquiring unit (*Figure 4*) operable

to acquire, according to a received input from the management

device storing therein a content identifier that identifies a content

having been played back by the playback device, presentation

information that is generated using the content identifier (*Using the*

*playback start information obtained at step 111 as well as the*

*converted content if the terminal type was sent at step 103 or the*

*content if no terminal type was sent, the playback terminal device*

*220 generates playback information. This playback information*

*includes digitized information prompting the user for playback-*

*related operations and information to be provided to the user to*

*allow playback of the content or converted content based on the*

*playback start information, [0049]); and*

a presentation unit (*Figure 4*) operable to display the

acquired presentation information (*The playback terminal device*

*220 provides the user with the playback information generated at*

*step 112, [0050]).*

Regarding **claim 80**, Arisaka further discloses:

an identifier-acquiring unit operable to acquire a particular

content identifier that identifies a particular content (*The terminal*

*receives user identification information of a user and digital content*

*identification information played back by the user, and the user*

*identification information and content identification and content*

*types capable of being played back by the terminal are sent to the*

*data management device, [0007]), wherein said presentation-*

information acquiring unit requests and acquires, from the

management device, the presentation information indicating

whether the acquired particular content identifier is stored in the

management device (*The playback terminal device 220 uses the*

*communication line 240 to send the playback data management*

*device 210 the individual identifier, the content identifier, and the*

*playback continuation information so that the individual playback*

*action history can be updated, [0055]).*

Regarding **claim 83**, Arisaka further discloses:

the management device stores user identifiers identifying a

plurality of users in association with content identifiers identifying

content having been played back by the users (*For each user, a*

*server manages a personal playback action history, e.g., which*

*content was played back up to which point. If playback is*

*interrupted, playback continuation information for the content at that*

*point in time is sent from the playback terminal device to the server*

*and stored in the personal playback action history*, [Abstract]), and

said presentation-information acquiring unit transmits a

particular user identifier that identifies a particular user to the

management device, and acquires the presentation information

generated using a content identifier associated with the particular

user identifier (*The playback terminal device 220 uses the*

*communication line 240 to send the playback data management*

*device 210 the individual identifier, the content identifier, and the*

*playback continuation information so that the individual playback*

*action history can be updated*, [0055]).

Regarding **claim 84**, Arisaka clearly shows and discloses a

management method used in a management device that is included in an

information presentation system together with a playback device and a

terminal device, the terminal device being a different entity from the

playback device (*Figure 1*), and the management method comprising:

a receiving step of receiving a content identifier, that

identified a content having been played back, from the playback

device via a receiving unit (*Using the content identifier received

from the playback terminal device 220 via the communication line

240, the playback data management device 210 prepares the

content associated with the content identifier.. Various types of

preparation methods can be used, e.g., retrieving data recorded in

the playback data management device 210 or retrieving content

from a remotely located digital content storage server via a

communication line*, [0043]);

a storage step of storing the received content identifier via a

storage unit (*Using the content identifier received from the playback

terminal device 220 via the communication line 240, the playback

data management device 210 prepares the content associated with

the content identifier.. Various types of preparation methods can be

used, e.g., retrieving data recorded in the playback data

management device 210 or retrieving content from a remotely

located digital content storage server via a communication line*,

[0043]);

a generation step of generating presentation information

using the content identifier stored in the storage unit in response to

a request from the terminal device via a generation unit (*The*

*playback data management device 210 uses the communication*

*line 240 to send to the playback terminal device 220 the playback*

*start information obtained at step 109 and, if the terminal type was*

*received at step 104, the converted content obtained at step 108. It*

*would also be possible to send the playback terminal device 220*

*the content at the start position indicated in the playback start*

*information*, [0047]); and

an outputting step of outputting the presentation information

to the terminal device via an outputting unit (*The playback data*

*management device 210 uses the communication line 240 to send*

*to the playback terminal device 220 the playback start information*

*obtained at step 109 and, if the terminal type was received at step*

*104, the converted content obtained at step 108. It would also be*

*possible to send the playback terminal device 220 the content at*

*the start position indicated in the playback start information*, [0047]).

Regarding **claim 85**, Arisaka clearly shows and discloses a

computer-readable recording medium on which a management program is

stored, the management program being for use in a management device

included in an information presentation system together with a playback

device and a terminal device, the terminal device being a different entity

from the playback device ([0084]), and the management program causing

a computer to perform the following:

a received step of receiving a content identifier, that

identifies a content having been played back, from the playback

device via a receiving unit (*The playback data management device*

*210 receives content identifiers, playback continuation information,*

*and terminal types (terminals are set up with information indicating*

*content types that can be displayed by the terminals or content*

*types that users would like to play back) from the playback terminal*

*device 220 via the communication line 240*, [0030]);

a storage step of storing the received content identifier via a

storage unit (*The playback data management device 210 receives*

*content identifiers, playback continuation information, and terminal*

*types (terminals are set up with information indicating content types*

*that can be displayed by the terminals or content types that users*

*would like to play back) from the playback terminal device 220 via*

*the communication line 240*, [0030]);

a generation step of generating presentation information

using the content identifier stored in the storage unit in response to

a request from the terminal device via a generation unit (*Using the*

*content identifier received from the playback terminal device 220*

*via the communication line 240, the playback data management*

*device 210 prepares the content associated with the content*

*identifier.. Various types of preparation methods can be used, e.g.,*

*retrieving data recorded in the playback data management device*

*210 or retrieving content from a remotely located digital content*

*storage server via a communication line*, [0043]); and

an outputting step of outputting the presentation information

to the terminal device via an outputting unit (*The playback data*

*management device 210 uses the communication line 240 to send*

*to the playback terminal device 220 the playback start information*

*obtained at step 109 and, if the terminal type was received at step*

*104, the converted content obtained at step 108. It would also be*

*possible to send the playback terminal device 220 the content at*

*the start position indicated in the playback start information*, [0047]).

### *Claim Rejections - 35 USC § 103*

5.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.  Patentability shall not be negatived by the manner in which the invention was made.

6.      This application currently names joint inventors.  In considering

patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that

the subject matter of the various claims was commonly owned at the time any

inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a

later invention was made in order for the examiner to consider the applicability of

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35

U.S.C. 103(a).

7.      **Claims 70-71**, **75**, **78**, and **81-82**, are rejected under 35 U.S.C. 103(a) as

being unpatentable over Arisaka et al. (*Pub. No. US 2002/0165987, filed on April*

*9, 2002; hereinafter Arisaka*) in view of Milton (*Pub. No. US 2002/0059120,*

*published on May 16, 2002*).

Regarding **claim 70**, Arisaka does not explicitly disclose the

limitations of this instant claim.

Milton discloses:

the attribute information stored in said information storage

unit are grouped under a plurality of categories (*Media Content*

*Administrators 160 has an AVIG that produces Virtual Inventory*

*Units according to the classes and their attributes. The Media*

*Content Administrator may also define and create new proprietary*

*classes that are not included in a default specification of the overall*

*system so to further automate the process of creating virtual*

*inventory on the fly. Inventory Class rules will be stored in*

configuration files in a database located at the Content

Administrators node, [0053]),

the request from the terminal device includes a particular

one of the categories (the content handle 510 is a universally

recognized code that is assigned by a "virtual media registry"

(VMR) to uniquely represent a particular media content, e.g., a

particular CD of a artist, a particular video or movie and so on,

[0042]), and

said information generating unit generates the presentation

information using attribute information belonging to the particular

one of the categories and a content identifier corresponding to the

attribute information (This data element allows participating entities

within the Virtual Media Transactional Network to quickly associate

the virtual inventory unit with a unit of a particular media content,

[0042]).

It would have been obvious to an ordinary person skilled in the art

at the time of the invention was made to incorporate the teachings of

Milton with the teachings of Arisaka for the purpose of facilitating access

by the consumer owner of media content s to a repository or virtual

inventory of media contents via one or more web enabled devices and at

different locations without having to download, store, or carry said media

contents ([0002] of Milton]).

Regarding **claim 71**, Arisaka further discloses:

said receiving unit further receives a user identifier that

identifies a user who played back the content, together with the

reception of the content identifier (*The playback data management*

*device 210 receives the individual identifier and the content*

*identifier from the playback terminal device 220 via the*

*communication line 240. It may also receive the terminal type 421*

*from the playback terminal device 220 via the communication line*

*240*, [0041]),

said storage unit stores one or more library list information,

each library list information including a user identifier in association

with one or more library information (*The playback action history*

*management processing module 315 retrieves from the playback*

*information management database the personal playback action*

*history of the user indicated by the personal identifier and loads this*

*information in the memory 310. Also, the playback information*

*management database is updated with information relating the*

*personal playback action history in memory*, [0066]),

the request from the terminal device includes a particular

user identifier (*For each user, a server manages a personal*

*playback action history, e.g., which content was played back up to*

*which point*, [Abstract]), and

said generation unit generates the presentation information

based on the library list information corresponding to the particular

user identifier, the library list information being library list

information stored in said storage unit (*The playback start*

*information generation processing module 316 generates playback*

*start information using the personal playback action history of the*

*user loaded from the memory 310 by the playback action history*

*management processing module 315 and the content information*

*loaded in the memory 310 by the content information management*

*processing module 312. This playback start information is loaded in*

*the memory 310,* [0067]).

Regarding **claim 75**, Milton further discloses:

attribute information stored in said storage unit is grouped under a

plurality of categories (*Media Content Administrators 160 has an AVIG*

*that produces Virtual Inventory Units according to the classes and their*

*attributes. The Media Content Administrator may also define and create*

*new proprietary classes that are not included in a default specification of*

*the overall system so to further automate the process of creating virtual*

*inventory on the fly. Inventory Class rules will be stored in configuration*

*files in a database located at the Content Administrators node,* [0053]),

the request from the terminal device includes a particular one of the

categories (*the content handle 510 is a universally recognized code that is*

*assigned by a "virtual media registry" (VMR) to uniquely represent a*

*particular media content, e.g., a particular CD of a artist, a particular video*

*or movie and so* on, [0042]), and

said generating unit generates the presentation information using

attribute information belonging to the particular one of the categories and

a content identifier corresponding to attribute information (*This data*

*element allows participating entities within the Virtual Media Transactional*

*Network to quickly associate the virtual inventory unit with a unit of a*

*particular media content*, [0042]).

Regarding **claim 78**, Milton further disclose said generation unit

includes:

a password storage unit operable to store therein a first

password (*Figure 3 shows the process of logging onto a media*

*access provider. It's well inherent that the media access provider*

*has a stored password*);

a password receiving unit operable to receive a second

password from the terminal device (*Figure 3 shows the process of*

*logging onto a media access provider. It's well inherent that the*

*user of the terminal device has his/her own password*), and

wherein a presentation-information generating unit judges

whether the first password matches the second password, and

when judging affirmatively, generates the presentation information

using the content identifier stored in said storage unit in response to

the request from the terminal device (*Once the request is*

*authenticated, the media content owner 160 streams the relevant*

*media content directly to the user or via the media access provider*

*140 of the user,* [0073]. *It's well inherent that the log-on process will*

*compare the user's password with its stored password, if they*

*match, the user is authenticated*).

Regarding **claim 81**, Arisaka further discloses:

said input-receiving unit further receives input of a plurality of

content identifiers (*The playback data management device 210*

*receives content identifiers, playback continuation information, and*

*terminal types (terminals are set up with information indicating*

*content types that can be displayed by the terminals or content*

*types that users would like to play back) from the playback terminal*

*device 220 via the communication line 240. The playback data*

*management device 210 sends playback start information and*

*converted content to the playback terminal device 220,* [0030]).

Milton discloses:

said presentation-information acquiring unit further requests

and acquires the presentation information indicating, for each of the

content identifiers, whether the content identifier is stored in the

management device (*the content handle serves to describe the location as to where the virtual inventory units will be sent to be handled and rerouted. For example, the content handle is read by the VCH 150 to determine the location of the media content to be accessed in the case of a "content access request"*, [0042]), and

said presentation unit further displays the presentation information in which content identifiers stored in the management device are shown in a distinguishable form from content identifiers not stored in the management device (*AVIG accepts data through its API (Application Program Interface) as linked to an SQL program which queries and returns relevant information from a Content Doctrine, where the Content Doctrine is located in a VIADMIN node's database. Second, the AVIG interacts with the VIADMIN to retrieve, insert and encrypt an available virtual inventory unit number 530 to complete the creation of a Virtual Inventory Unit*, [0060]).

Regarding **claim 82**, Milton further discloses:

said input-receiving unit receives an input of a particular one of a plurality of categories under which attributes of contents are grouped (*Media Content Administrators 160 has an AVIG that produces Virtual Inventory Units according to the classes and their attributes. The Media Content Administrator may also define and*

*create new proprietary classes that are not included in a default*

*specification of the overall system so to further automate the*

*process of creating virtual inventory on the fly. Inventory Class rules*

*will be stored in configuration files in a database located at the*

*Content Administrators node*, [0053]),

said presentation-information acquiring unit requests the

presentation information by transmitting the particular category to

the management device (*the content handle 510 is a universally*

*recognized code that is assigned by a "virtual media registry"*

*(VMR) to uniquely represent a particular media content, e.g., a*

*particular CD of a artist, a particular video or movie and so* on,

[0042]),

the management device stores a plurality of categories

indicating a plurality for attributes for a plurality of content in

association with content identifiers respectively identifying the

content (*the "Hollow" inventory class defines a class of virtual*

*inventory of media contents that lacks general information such as*

*track number, track name, and so on*, [0054]. *The "Evaluation"*

*inventory class defines a class of virtual inventory of media*

*contents that will time out after a period of time as specified*, [0055].

*The "Finite" inventory class defines a class of virtual inventory of*

*media contents that is classified as having a finite distribution*

*parameter, thereby limiting the number of virtual inventory units that can be generated, [0056]. The "Infinite" inventory class defines a class of virtual inventory of media contents that is classified as having an infinite distribution parameter, thereby setting no limit as to the number of virtual inventory units that can be generated, [0057]), and*

said presentation unit presents the presentation information which is generated using attribute information corresponding to the content identifier that identifies the content having been played back by the playback device and belonging to the particular one of the categories (*Figure 3 shows the user request a media content from a virtual inventory of media content and play selected media content*).

## Conclusion

8.    **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

## Contact Information

9.    Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday - Friday (7:30 AM – 5:00 PM).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christian Chace can be reached on (571) 272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

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direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

If you would like assistance from a USPTO Customer Service Representative or

access to the automated information system, call 800-786-9199 (IN USA OR

CANADA) or 571-272-1000.

/Son T Hoang/
Examiner, Art Unit 2165
June 20, 2008

/Christian P. Chace/
Supervisory Patent Examiner, Art Unit 2165